

AUG 17 2006

PTO/SB/87 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCEUnder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (If known): 10/623037

Attorney Docket No.: TOW-033

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on August 17, 2006  
Date

Signature

Anthony A. Laurentano

Typed or printed name of person signing Certificate

38,220 (617) 227-7400  
Registration Number, If applicable Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Restriction Requirement (without Traverse) (2 pages)

AUG 17 2006

**FAX TRANSMISSION****DATE:** August 17, 2006**PTO IDENTIFIER:** Application Number 10/623037-Conf. #6454  
Patent Number**Inventor:** Hiroshi AKITA et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 279-8500**FROM:** LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano

**PHONE:** (617) 227-7400**Attorney Dkt. #:** TOW-033**PAGES (Including Cover Sheet):** 4**CONTENTS:** Response to Restriction Requirement (without Traverse) (2 pages)  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP  
28 State Street, Boston, Massachusetts 02109  
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

AUG 17 2006

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 17, 2006

Signature:

(Anthony A. Laurenzano)

Docket No.: TOW-033  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hiroshi Akita *et al.*

Application No.: 10/623037

Confirmation No.: 6454

Filed: July 18, 2003

Art Unit: 1745

For: PROTON CONDUCTIVE SOLID POLYMER  
ELECTROLYTE AND METHOD FOR  
PRODUCING THE SAME

Examiner: K.D. Walker

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Restriction Requirement mailed on July 19, 2006.

The Examiner has required restriction between the following inventions in the above-identified application:

Group I encompassing claims 1-8 which is drawn to a solid polymer electrolyte (classified in Class 429, Subclass 309); and

Group II encompassing claims 9-15 drawn to a method of making solid polymer electrolyte (classified in Class 429, Subclass 321).

Further, with election of the invention of Group I, an election of Species is also required as follows:

I-a: claim 5

I-b: claim 6

Application No.: 10/623037

Docket No.: TOW-033

I-c: claim 7

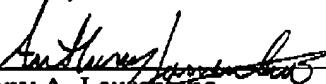
I-d: claim 8

**Accordingly, Applicants hereby elect Group I-a, claim 5 for continued examination.**

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-080, under Order No. TOW-033 from which the undersigned is authorized to draw.

Dated: August 17, 2006

Respectfully submitted,

By   
Anthony A. Laurenzano  
Registration No. 38,220  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney/Agent For Applicant